



## MESSAGE FROM THE AOC'S EDUCATION DIRECTOR

# The Move Toward Distance Learning

KAREN THORSON

As a member of the judicial branch, you have surely had times when:

◆ You needed educational content immediately but it was not available;

◆ You wanted to attend a program or conference that offered content directly related to what you do, but the necessary time commitment or funding was prohibitive;

◆ You attended a program and wanted more detailed information or a mechanism for reviewing the content after an attempt to implement what you learned.

We have all experienced these frustrations. Traditional delivery of educational content is not always timed to meet our individual needs or the specific needs of our court, and the loca-

tions of traditional programming frequently put burdensome demands on our time and funding.

In addition to the issues of timing and location, increasingly greater educational content is needed. The role of a judge has never been more complex. The role of a court executive has never been more crucial. And the roles of court staff have never been more demanding. The public calls upon us for improved service. Other branches of government call upon us for more accountability. And we demand increasingly higher levels of excellence from ourselves. The need for accessible training and education in the judicial branch has never been greater.

The Administrative Office of the Courts' (AOC) Education Division/Center for Judicial Education and Research (CJER) has

a long history of producing high-quality, traditionally delivered programs, and these programs will always be the backbone of judicial branch education in California. But traditional delivery of training and education cannot meet the increased demands. Because of these demands, the frequent need for immediate access to educational content, and the size of the judicial branch in California, the Education Division/CJER is expanding its delivery of educational content through distance education. We will develop at least four distance education delivery mechanisms: computer-based training, video broadcasting via satellite, videoconferencing via phone lines, and video/workbook packages.

We have asked the court executive in each county to assist us by identifying one or more individ-

uals in the court with whom we can work to ensure that distance delivery of educational content is accessible for every judge, court executive, and staff member.

Distance education represents a relatively recent approach to learning but one that is effective, is accessible, and can be tailored for local and/or individual use. The hope of the Education Division/CJER is to become a more valuable resource for courts by providing an array of distance education options that will supplement our current traditional delivery. This will be an evolutionary process and will not diminish the quality or quantity of our existing programs. Distance education offers an exciting opportunity for us to better serve the individuals who make California's courts the best they can be. ■



Karen Thorson

## On-Air Technologies Deliver Judicial Education

BLAINE CORREN

From e-filing to court Web sites, advances in the relationship between technology and the law have already changed the services that courts provide to the public. But technology is also changing the way courts conduct their internal business. Included in the changes are new methods of educating and training court personnel.

In order to advance educational opportunities for California's courts, the Administrative Office of the Courts (AOC) is inaugurating a new program of distance learning with a satellite broadcast titled *Juries: Strategies for Better Trials*. This first-of-its-kind effort from the AOC, which is scheduled for May 25, 2001, will bring together judges, attorneys, and jury experts via a satellite broadcast originating in San Francisco and downlinked to multiple court sites throughout California.

The satellite broadcast on jury improvements will include video segments, faculty presentations, panel discussions, and question-and-answer sessions. Additionally, facilitators at local sites will lead their sites' students in discussion sessions and learning exercises.

"The satellite broadcast is educational," says John Larson, Senior Court Services Analyst in the AOC's Trial Court Programs Division. "During the broadcast, participants will analyze a range of jury practices and assess which are applicable and appropriate for their courts."

This inaugural satellite broadcast is tailored for bench officers who conduct jury trials. They will learn about the jury innovations that are available, how other courts are utilizing them, and their potential advantages.

Subjects to be discussed include juror note-taking, commentary during the trial, whether opening statements should be made to the entire juror panel, and jurors' questioning of witnesses. For those who cannot participate in the live session, broadcast footage and materials will be made available on videotape and through Serranus, the California courts' private Web site, at <http://serranus.courtinfo.ca.gov>.

### DISTANCE LEARNING

The Judicial Council has allocated \$870,000 from the Judicial Administration Efficiency and Modernization Fund to assist county courts in developing local satellite links. *Juries: Strategies for Better Trials* will be the first in a series of satellite-broadcast educational events and will demonstrate this new method for delivering educational information to California's judiciary and court staff.

The goals of distance learning technology, such as satellite broadcasts, are to provide increased educational opportunities for a new and broader audience and to present timely information that is easily accessible.

In addition to satellite broadcasts, the AOC's Education Division/Center for Judicial Education and Research (CJER) is developing other forms of distance education for the judicial branch. For instance, Judicial Branch Radio (JBRadio) transfers material taught in the classroom to the Web. It is now available on the Serranus Web site at <http://serranus.courtinfo.ca.gov/education/jbradio>, providing online access to selected topics presented in CJER programs. It includes audio and video recordings of presentations, written materials that are easily downloaded, and links to

faculty e-mail addresses, which allow users to interact with program presenters.

In addition to JBRadio, court personnel are eligible to sign up for the Learn2.com and Syntrio.com online educational programs. Learn2.com's licensed courses and tutorials teach users all aspects of software applications, including Microsoft Word, Access, Outlook, and PowerPoint. Syntrio.com courses are self-directed and cover topics such as time management, listening skills, preventing sexual harassment, and customer service. Serial numbers and passwords are required to view these courses. Individuals designated as CJER contacts in each court distribute the serial numbers and passwords to court staff and provide feedback regarding the effectiveness of the programs.

CJER has also developed a new Web site that will serve as a

clearinghouse for online education and training resources for local court staff. The COMET (Court Online Mentoring, Education, and Training) site will include an online, interactive version of the *Basic In-Service Training Manual*; course materials from the Court Clerks' Training Institute; a comprehensive listing of courses and education programs offered by courts throughout the state; a page devoted to the professional development of court trainers; and access to Web-based courses and tutorials on computer software and professional development. COMET is currently being reviewed and tested before it is made available to all court personnel.

● For more information, contact Gavin Lane, Education Division, 415-865-7793, e-mail: [gavin.lane@jud.ca.gov](mailto:gavin.lane@jud.ca.gov). ■



The satellite broadcast of *Juries: Strategies for Better Trials* will be aired in the following California counties: Fresno, Los Angeles, Napa, Orange, Riverside, Sacramento, San Diego, San Francisco, San Luis Obispo, Santa Clara, Shasta, and Sutter.

● For information on specific times and locations of the broadcast, contact CJER at 415-865-7745.

### What Is Distance Education?

Distance education is generally defined as educational content delivered with the faculty in one location and the learners in another. Following are some examples of distance education and the advantages of each.

#### Computer-Based Training

Computer-based programs provide easy access to educational content as needed. The content is reusable for remedial work or reference and is easily updated.

#### Satellite Broadcasting

Satellite broadcasting allows courts to convene unique groups of learners to receive specific content. Faculty can simultaneously reach large numbers of individuals statewide and, because of the local groupings, participate in a forum for discussing the application of content to local needs.

#### Videoconferencing

Videoconferencing enables faculty and learners to see and hear each other, and it allows learners at different sites to discuss issues with each other.

#### Video/Workbook

A video/workbook package is a low-technology approach that provides the learner with a self-paced program of reusable content.

Source: Education Division/CJER, Administrative Office of the Courts

# Q&A Educating the Bench

## Conversation With Justice Richard D. Aldrich



Justice Richard D. Aldrich  
Court of Appeal,  
Second  
Appellate District

Since 1991, when Justice Richard D. Aldrich left his civil litigation practice of 28 years to become a judge in the Superior Court of Ventura County, judicial education has played an important role in his career on the bench.

It was in that same year that he first became involved in the California Judicial College, now known as the Bernard E. Witkin California Judicial College. After then-Judge Aldrich took his first course from the college, then-Dean John Kennedy asked him to teach a class in civil settlement techniques. He has been teaching it ever since. He has also taught many courses for the Center for Judicial Education and Research (CJER) and has participated on a panel on complex litigation for the Los Angeles County Bar Association's business litigation section and the Association of Business Trial Lawyers.

Justice Aldrich was appointed to the Court of Appeal, Second Appellate District, in 1994. Subsequently he has chaired numerous Judicial Council task forces and committees, including the Select Committee on Trial Court Coordination Implementation, Business Court Study Task Force, Case Management and Delay Reduction Subcommittee, Civil and Small Claims Advisory Committee, and Complex Civil Litigation Task Force. In 1998 Chief Justice Ronald M. George appointed him to the Judicial Council, where he is currently a member of the Executive and Planning Committee and serves as the liaison to the CJER Governing Committee.

Court News spoke with Justice Aldrich on the topic of judicial education.

### What role does CJER play in carrying out the Judicial Council's long-term goals and Strategic Plan?

CJER is the educational division of the AOC and is responsible for developing and maintaining a comprehensive educational program for California's judicial branch. Its role is to enhance the quality of justice by providing educational services that reinforce the unique role of judicial officers and court staff and enhance their decision-making skills, encourage uniformity in judicial procedure, and promote access and fairness throughout the court system.

CJER has been consistently challenged by the changes in judicial administration in California in the last 12 years or so. These changes have included delay reduction and differential case management in 1989; trial court

coordination implementation in 1995; state funding of the trial courts and a complex litigation pilot court in 1999; and full trial court unification in 2000-2001. CJER has provided the education necessary to enable presiding judges and administrators to keep up with these changes.

### Why is it important for judges to get involved in judicial education?

The law is constantly evolving. One need only read the advance sheets to appreciate the volume of cases that are being decided each week. A case is certified for publication because it represents a change in the law, a clarification of a point of law, or an attempt to resolve a conflict in the law. Judicial education is the most effective way for judges to maintain their level of understanding of these changing patterns; it allows them to remain "ahead of the learning curve."

Judges are also hearing a diverse caseload due to changes in assignments. A judge might be assigned to the criminal division one year and to civil the next. In the civil courts a judge might be assigned to hear complex litigation, general civil law, family law, or writs and receivers. CJER offers courses in all of these specialties.

It is also important for judges to become teachers and pass along their expertise. CJER has been successful in attracting bright, talented judges to teach the continuing education courses. Becoming a teacher is also the best way to learn. It never ceases to amaze me how much I learn when preparing to teach a course.

### What impact has trial court unification had on the need for judicial education?

Unification presents both challenges and opportunities to our state's judiciary. One of the goals of unification is to improve and more fully utilize judicial resources. Everyone always knew there were extremely capable judges who were prevented from handling certain assignments because of jurisdictional limitations. One of CJER's challenges is to develop courses that provide judges with the educational tools they need to hear cases across jurisdictional lines.

### How has judicial education changed since you joined the bench a decade ago?

When I started in 1991, much of continuing judicial education was conducted through either lecture format or a "talking heads"

type of panel where there was little, if any, interaction between teachers and students. Shortly thereafter, the CJER governing board decided to implement an interactive, curriculum-based teaching format. This methodology required that teachers submit lesson plans breaking curricula into timed segments. It also sought to encourage students' involvement in the class. This technique involves the use of hypotheticals and problem solving. Examples are taken from actual problems that a judge is likely to encounter. The use of checklists and scripts is encouraged. Seminar groups are used to supplement classroom sessions. It is during these groups that students can apply, analyze, and critique the subject matter of the courses.

The Civil Settlement Techniques course at the Bernard E. Witkin California Judicial College has always been popular. Most of the course is interactive, as we conduct a real settlement conference with attorneys, claims people, and clients (usually available by phone). The attorneys provide us with settlement conference statements in advance. We then distribute them to the students. We divide the class into small groups, with half of each group taking the part of the plaintiff's attorney and the other representing the defendant. One of the students takes the part of the judge. They then try to settle the case, and if they are successful, each group arrives at a settlement figure.

Later the attorneys and claims people arrive, and we conduct the actual settlement conference without informing them what the class has already decided about the case. After the conference, if the case settles, we compare the class's figures with the actual settlement figures. This is an excellent learning tool because everyone has an opportunity to be involved in the process.

### You chaired the California Judicial Administration Conference (CJAC) planning committee in 1998 and were also a member of the committee in 1997. Why is this conference valuable to the judicial community?

The biggest challenge we face today is developing the ability to adapt to change. Under the leadership of Chief Justice George and former Chief Justice Malcolm Lucas, the judicial system has undergone a sea change in the way it does business. CJER assists the Judicial Council in achieving its goal of developing

new and innovative procedures to make the system more user-friendly and to reduce the cost of litigation.

CJAC is valuable because it is the one time of year when all of those most closely involved with the court system can come together to learn and to network. The best way for CJER to carry out its mission of enhancing decision-making skills, encouraging uniformity in judicial procedure, and promoting access and fairness throughout the court system is to have court leaders compare and discuss "best practices" in the state.

CJAC is also a learning session where participants hear from nationally recognized experts in judicial administration. Subjects range from unification to budgeting, complex litigation, and court technology. In addition, the conference provides an opportunity for court administrators and judges to network and exchange ideas for improving the way the courts serve the public. For example, it is a showcase for the recipients of the Ralph N. Kleps Awards, which are presented each year to counties that have demonstrated their commitment to the improvement of the administration of justice by implementing imaginative and innovative programs in their jurisdictions. Much can be learned from these presentations.

### How do California's judicial education programs compare with those in other states?

While I have not made an in-depth study of judicial education programs in all other states, I did have an opportunity to study some of these programs as chair of the Judicial Council's Business Court Study Task Force in 1994. At that time, Chief Justice Lucas asked the task force to study the feasibility and the desirability of establishing business courts in California similar to those in Delaware, Illinois, New York, and Pennsylvania. While the council ultimately decided against establishing a business court here and instead adopted the plan for creating complex litigation courts, I found that we are far ahead of all these states in terms of judicial education. I think the principal reason for this is that California has been the most innovative in such areas as delay reduction, differential case management, community outreach, trial court funding, and unification.

### How do you see judicial education changing over the next few years?

There is a pressing need for courts to fully utilize the technology that currently exists and to educate judges, administrators, and court staff so they can take advantage of it. However, we have come so far, so quickly, in institutionalizing changes in our court system that in many areas we are ahead of the tech-

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